

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 16-21 will be pending in the application subsequent to entry of this Amendment.

The claims have been amended in order to more particularly point out and distinctly claim that which applicants regard as their invention and to further distance the claims from the prior art cited and applied in the current Official Action. Summarizing these changes:

Claim 16 is amended to exclude 1,8-diaza-bicyclo(5.4.0)undecene-7 from the bicyclic tertiary amine in claim 16.

The aliphatic monocarboxylic acid in claim 19 is now directed to one member selected from the 13 aliphatic monocaryoxylic acids selected from those listed at the top of page 8 of applicants' specification, which are not disclosed in Nakamura et al.

Isocrotonic acid has been excluded from the choice of the aliphatic monocarboxylic acid since it is disclosed in Nakamura et al, erroneously as iocrotonic acid.

Applicants have noted that the salt with acrylic acid has poor storage stability once the sealant is mixed, and that crotonic acid and isocrotonic acid have strong, unpleasant smells.

Acrylic acid and crotonic acid are excluded from claim 21 which are disclosed in Nakamura et al.

The sole issue raised in the outstanding Official Action is the rejection of claims 13-21 as being unpatentable over EP 284015 in view of Nakamura et al '034. This rejection is traversed to the extent that the examiner's concerns may extend to the amended claims presented above. Applicants appreciate the examiner's comments in particular in item 5 responding to the submission of June 8, 2004, however applicants continue to believe that their claims as above amended define inventive subject matter.

The differences between the present invention and the cited references are summarized as follows:

(1) Claims 16-18

Though both EP 0284015 and Nakamura et al disclose use of 1,8-diaza-bicyclo(5.4.0)undecene-7, they do not suggest use of 1,5-diaza-bicyclo(4.3.0)nonene-5 or 1,5-diaza-bicyclo(4.4.0)decene-5, which is used in the method of claims 16-18, at all. Therefore, the subject matter of claims 16-18 is not obvious from these references.

(2) Claims 19-21

The polyurethane sealant composition of EP 0284015 uses an amine curing agent to cure a polyurethane prepolymer (page 3, line 54-page 4, line 30). In the polyurethane sealant composition of EP 0284015, an effective amount of a bicyclic amine catalyst or a derivative thereof is incorporated just to accelerate the curing of the polyurethane prepolymer by the amine curing agent by removing the blocking agents from the urethane prepolymer having blocked isocyanate groups (page 4, lines 21-28).

The method for production of a two component polyurethane sealant of claims 19-21 is characterized by the use of the salt of 1,8-diaza-bicyclo(5.4.0)undecene-7 with a specific aliphatic unsaturated monocarboxylic acid, and does not require the amine curing agent, unlike the sealant of EP 0284015. EP 0284015 does not suggest these features at all.

The product of the method of Nakamura et al is a polyisocyanurate foam, and therefore, the method of Nakamura et al is technically quite different from the method of the present invention. Further, Nakamura et al does not disclose anything about the use of the salt of 1,8-diaza-bicyclo(5.4.0)undecene-7 with a specific aliphatic unsaturated monocarboxylic acid, to be used in the method of claims 19-21, at all.

Therefore, the subject matter of claims 19-21 is not obvious from the combination of these references.

For the above reasons it is respectfully submitted that claims 16-21 define patentable subject matter. Reconsideration, entry of this Amendment and allowance are solicited. Should the examiner require further information, please contact the undersigned by telephone.

Respectfully submitted,

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